

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

NOE GONZALEZ, individually and on behalf of all others similarly situated,

Plaintiff,

- against -

THE CHEESECAKE FACTORY RESTAURANTS,  
INC. d/b/a THE CHEESECAKE FACTORY,

Defendants.

**NOTICE OF MOTION FOR  
LEAVE TO FILE FIRST  
AMENDED COMPLAINT**

21-cv-5017 (PKC)(SIL)

PLEASE TAKE NOTICE that, upon the Memorandum of Law in Support of Plaintiffs' Motion to Amend the Complaint, and the proposed First Amended Complaint annexed hereto, Plaintiffs will move this Court, pursuant to Rules 15 and 21 of the Federal Rules of Civil Procedure, on a date to be set by the Court, for an order permitting the service and filing of the proposed First Amended Complaint.

PLEASE TAKE FURTHER NOTICE that, pursuant to the electronic order of October 27, 2022,

- (i) Defendant's opposition is to be served on Plaintiff on or before 12/28/2022;
- (ii) Plaintiff's reply is to be served on Defendant on or before 1/11/2023;
- (iv) Plaintiff shall file the fully briefed motion on ECF according to the Court's bundling rule on or before 1/12/2023.

Dated: Huntington, New York  
November 28, 2022

/s/

Jeffrey K. Brown, Esq.  
Michael A. Tompkins, Esq.  
Brett R. Cohen, Esq.

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*Attorneys for Plaintiffs and Putative Class*